

Remarks

This application has been carefully reviewed in light of the Office Action dated January 7, 2008. Claims 14 and 17 to 29 remain in the application, of which claims 14, 21, 25 and 29 are the independent claims currently under consideration. Reconsideration and further examination are respectfully requested.

Initially, Applicants thank the Examiner for the courtesies extended to Applicants' representatives in the telephonic interview conducted on April 28, 2008, in which the outstanding claim rejections and the foregoing claim amendments were discussed. While no agreement was reached in the interview, Applicants have, at the Examiner's suggestion, amended the claims to clarify that the transmit powers of more than one of a plurality of subchannel signals from a single remote station are independently adjusted to different levels. Support for this amendment can be found throughout the application as filed, including, for example, in p. 8, ll. 35-37 of the specification.

Claims 14 and 17 to 29 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,621,723 ("Walton") in view of U.S. Patent No. 5,930,706 ("Raith"). Reconsideration and withdrawal of these rejections are respectfully requested.

Amended independent claim 14 is directed to a method in a base station comprising receiving from a single remote station a reverse link signal that comprises a plurality of subchannel signals, independently adjusting transmit powers of more than one of said plurality of subchannel signals to different levels by generating power control messages for adjusting the transmit powers of more than one of said plurality of subchannel signals, and comparing a frame error rate of each of said subchannel signals with a frame error rate threshold for said generating said power control messages.

Amended independent claim 21 is directed to an apparatus for wireless communication comprising a receiver configured to receive from a single remote station a reverse link signal that comprises a plurality of subchannel signals, and a threshold generator configured to provide a frame error rate threshold for at least one of the subchannel signals. The apparatus further comprises a comparator configured to compare a frame error rate of at least one of the subchannel signals with the threshold for that subchannel signal, and a message generator configured to independently adjust transmit powers of more than one of the plurality of subchannel signals to different levels by generating power control messages based on the comparison.

Amended independent claim 25 is directed to an apparatus for wireless communication comprising means for receiving from a single remote station a reverse link signal that comprises a plurality of subchannel signals; means for providing a frame error rate threshold for at least one of the subchannel signals, and means for comparing a frame error rate of at least one of the subchannel signals with the threshold for that subchannel signal. The apparatus further comprises means for independently adjusting transmit powers of more than one of the plurality of subchannel signals to different levels by generating power control messages based on the comparison.

Amended independent claim 29 is directed to a base station comprising an antenna, a receiver configured to receive from a single remote station, via the antenna, a reverse link signal that comprises a plurality of subchannel signals, and a threshold generator configured to provide a frame error rate threshold for at least one of the subchannel signals. The base station further comprises a comparator configured to compare a frame error rate of at least one of the subchannel signals with the threshold for that subchannel signal, and a message generator configured to independently adjust transmit powers of more than one of the plurality of

subchannel signals to different levels by generating power control messages based on the comparison.

The applied references are not seen to disclose or suggest the features of the claimed invention, particularly with respect to at least the feature of independently adjusting transmit powers of more than one of a plurality of subchannel signals to different levels.

Walton is seen to be generally directed to power control on the reverse link of a CDMA network. In particular, Walton discloses a system in which “reverse packet data channels are delineated by assigning a given code or set of codes to correspond to a fixed data rate.” Walton, col. 3, ll. 31-33. Walton further discloses that a “packet data channel code set is assigned to each of the 8 channels and a corresponding receiver element is assigned to serve a specific channel or channel set.” Walton, col. 3, ll. 36-40. The power of the reverse channel may be controlled, such that when “a mobile is transmitting, the power control subchannel assigned is used to drive the mobile transmit power.” Walton, col. 7, ll. 15-19. Thus, while Walton is seen to disclose a base station communicating with a mobile over a “channel set” and controlling the mobile’s transmit power, nowhere is Walton seen to disclose independently adjusting transmit powers of more than one of a plurality of subchannel signals to different levels. Rather, to the extent to which Walton discloses the power control of a reverse link comprising a “channel set,” the transmit power of the channel set is understood to be adjusted ‘set-wise,’ and not independently, to different levels, as in the claimed invention.

Raith is not seen to remedy the foregoing deficiency of Walton. Raith, which was cited by the Office Action for its alleged disclosure of the power control message being based on a frame error rate, is nowhere seen to disclose independently adjusting transmit powers of more than one of a plurality of subchannel signals to different levels.

Application No. 09/804,621  
Amendment dated May 5, 2008  
Reply to Office Action of January 7, 2008

Accordingly, the applied references, whether taken alone or in combination, are not seen to disclose or suggest the features of independent claims 14, 21, 25 and 29, particularly with respect to at least the feature of independently adjusting transmit powers of more than one of a plurality of subchannel signals to different levels.

The other claims currently under consideration in the application are dependent from the independent claims discussed above and therefore are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing amendment and remarks, all of the claims under consideration are believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

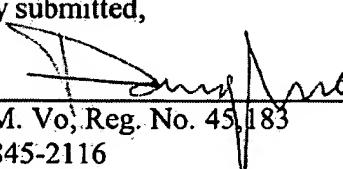
#### ***CONCLUSION***

In light of the amendments and remarks contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested. Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Dated: 5/5/08

Respectfully submitted,

By:

  
Dang M. Vo, Reg. No. 45,183  
(858) 845-2116

QUALCOMM Incorporated  
Attn: Patent Department  
5775 Morehouse Drive  
San Diego, California 92121-1714  
Telephone: (858) 658-5787  
Facsimile: (858) 658-2502